

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING
HELD ON WEDNESDAY, FEBRUARY 8, 2006 AT 7:00 P.M.

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
54111 BROUGHTON ROAD
MACOMB, MICHIGAN 48042

PRESENT: JOHN D. BRENNAN, SUPERVISOR
MICHAEL D. KOEHS, CLERK
MARIE MALBURG, TREASURER
TRUSTEES: DINO F. BUCCI, JR.
JANET DUNN
ROGER KRZEMINSKI
NANCY NEVERS

ABSENT: NONE

Also in attendance: Lawrence W. Dloski, Township Attorney
Jerome R. Schmeiser, Community Planning Consultant
James Van Tiflin, Township Engineer of Spalding DeDecker
(Additional attendance record on file with Clerk)

Call Meeting to Order

Supervisor BRENNAN called the meeting to order at 7:00 p.m.

Pledge of Allegiance

1. Roll Call

Clerk KOEHS called the Roll Call, all members present.

2. Approval of the Agenda Items (with any corrections)

Item 10 was requested by the petitioner to be tabled until March 22, 2006
and item 11 was requested by the petitioner to be tabled until March 8,
2006.

MOTION by BUCCI seconded by MALBURG to approve the agenda as amended.

MOTION carried.

3. Approval of the Bills (*both bill runs*)

MOTION by KRZEMINSKI seconded by NEVERS to approve both bill runs.

MOTION carried.

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4. Approval of the January 23, 2006 previous Meeting Minutes

MOTION by DUNN seconded by BUCCI to approve the January 23, 2006 previous meeting minutes as submitted. (Supervisor BRENNAN abstained)

MOTION carried.

5. Public Portion – Comments on all agenda items and all non-agenda items
(3 minute time limit)

Public Portion: **NONE**

PUBLIC HEARING:

6. **Consideration of Community Development Block Grant Projects**

Public hearing opened at 7:04 p.m.

Supervisor Brennan discussed the CDBG funds available and reviewed the requests for these funds. He asked if there were any representatives present who were not listed but seeking funds, and the representative from Solid Ground informed the Board of his request. Supervisor Brennan advised the Board and the public that the CDBG monies would be awarded at the next Board meeting on February 22, 2006.

MOTION by DUNN seconded by KOEHS to close the public hearing at 7:10 p.m. MOTION carried.

7. **Request to Adopt a Resolution to create the Special Assessment District for Street Lighting of the Legacy Farms Subdivision;** Located on the west side of Fairchild, approximately ¼ mile north of 22 Mile Road; Christopher Cousino, Petitioner. Permanent Parcel No. 08-24-401-004.

Public hearing opened at 7:11 p.m.

Supervisor Brennan reviewed the request and read the amounts required. These monies have been received by the Township and the Township will not have any expenses regarding this issue.

MOTION by BUCCI seconded by KRZEMINSKI to close the public hearing at 7:13 p.m. MOTION carried.

MOTION by KRSEMINSKI seconded by DUNN to adopt the resolution to create the Special Assessment District for Street Lighting of the Legacy Farms Subdivision; Permanent Parcel No. 08-24-401-004. The resolution is as follows:

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**Street Lighting Legacy Farms Subdivision
RESOLUTION ORDERING ESTABLISHMENT
OF STREET LIGHTING DISTRICT**

Minutes of a regular meeting of the Township Board of the Township of Macomb, County of Macomb, Michigan, held in the Township Hall in said Township on February 8, 2006, at 7:00 P.M., Eastern Standard Time.

PRESENT: John D. Brennan, Michael D. Koehs, Marie E. Malburg, Janet Dunn, Dino F. Bucci, Jr., Roger Krzeminski, Nancy Nevers.

ABSENT: None.

The following preamble and resolution were offered by Member BUCCI and supported by Member KRZEMINSKI.

WHEREAS, pursuant to 1989 PA 80 (the "Act"), the Township Board is empowered to establish a Special Assessment for the installation and maintenance of street lighting on its motion or upon the submission of petitions as prescribed in the Act; and

WHEREAS, the Township Board has determined that the installation of a street light or lights illuminating street serving lands described in Exhibit "A" is necessary to preserve the public health; and

WHEREAS, the Township Board desires to establish a Special Assessment District obligating the benefited owners to pay for the cost of installation and operation of street lighting; and

WHEREAS, a public hearing for the establishment of a Special Assessment District for street lighting was held coincident with this meeting and was prefaced by published and mailed notice as required by the Act and 1962 PA 162.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF
THE TOWNSHIP OF MACOMB, MACOMB COUNTY, MICHIGAN:**

1. It is hereby directed that a street light or lights shall be installed at Legacy Farms Subdivision, which will illuminate streets, serving and benefiting the lot(s) and/or parcel(s) of land described in Exhibit "A".

2. A Special Assessment District consisting of the lot(s) and parcel(s) described in Exhibit "A" is hereby established and the cost for installation of said street lights(s) and all future electrical service be levied

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against the parcel(s) and/or lot(s) so described in direct proportion to the benefit conferred.

3. The annual electrical service charge is Fourteen Thousand Forty Five dollars and 84/100 (\$14,045.84). Three times the annual cost is Forty Two Thousand One Hundred Thirty Seven dollars and 52/100 (\$42,137.52). Total project cost is One Hundred Forty One Thousand Four Hundred Twenty dollars and 44/100 (\$141,420.44). The petitioner contribution amount is Ninety Nine Thousand Two Hundred Eighty Two dollars and 92/100 (\$99,282.92). The Townships at large contribution is zero dollars and 00/100 (\$0.00).

4. The Township Board shall hereafter annually determine the amount to be assessed in the district for lighting and shall direct the assessor to levy this amount. The assessment may be made either in a special assessment roll or in a column provided in the regular tax roll. The assessment shall be spread and become due and be collected at the same time as the other Township taxes are assessed, levied and collected and shall be returned in the same manner for nonpayment.

AYES: KRZEMINSKI, DUNN, NEVERS, BUCCI, MALBURG, KOEHS, BRENNAN

NAYS: NONE

ABSENT: NONE

RESOLUTION DECLARED ADOPTED.

MICHAEL D. KOEHS, CMC
MACOMB TOWNSHIP CLERK

SAD, Street Lighting, Legacy Farms Subdivision

EXHIBIT "A"

LEGAL DESCRIPTION OF
SPECIAL ASSESSMENT LIGHTING DISTRICT

T3N R13E SEC 24; BEG AT S 1/4 SEC 24; TH N01°00'19"E 2676.45 FT; TH S89°57'01"E 2495.44 FT; TH S00°03'51"W 140.0 FT; TH S89°56'09"E 112.96 FT; TH S64°15'40"E 89.16 FT; TH S25°42'37"W 320.39 FT; TH S89°53'42"W 1211.38 FT; TH S00°59'30"W 398.62 FT; TH N89°54'32"E 1026.10 FT; TH S25°42'33"W 562.95 FT; TH N89°56'30"W 790.63 FT; TH S00°59'30"W 699.80

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**FT; TH S89°57'00"W 200.0 FT; TH S00°59'30"W 600.0 FT; TH S89°57'00"W
1147.02 FT TO POB; 103.87 AC.**

**Pre-Printed Portion of document
drafted by:**

**Lawrence W. Dloski
ANTHONY, SEIBERT AND DLOSKI, PLLC
59 N. Walnut, 202 Vicant Building
Mt. Clemens, MI 48043**

**AFTER RECORDING RETURN TO: Michael D. Koehs
Macomb Township Clerk
54111 Broughton Road
Macomb, MI 48042**

NEW BUSINESS:

8. **Request for Peddler Application; Door to Door Sales; 30 Day Permit;**
Erie Construction Midwest, Inc., Petitioner.

Supervisor BRENNAN reviewed the request and explained that all ordinance requirements have been met. Petitioner Present: Nathan Hall

MOTION by DUNN seconded by KOEHS to approve the thirty (30) day permit for door to door sales for Erie Construction Midwest, Inc.

MOTION carried.

9. **Model Permits; Gloede Park Estates Subdivision;** North of 21 Mile Road, west of Garfield, Lot Numbers 1,4,45 & 46. John Cavaliere, Petitioner. Section 30

Supervisor BRENNAN reviewed the request and indicated that all requirements have been met.

MOTION by BUCCI seconded by KRZEMINSKI to approve the model permits for lots 1, 4, 45 and 46 in the Gloede Park Estates Subdivision.

MOTION carried.

10. **Engineering Variance; Road Width Detroit Edison Golf Substation;** Located on the east side of Heydenreich Road, approximately ½ mile north of Hall Road. Section 34. (8.1 Acres) SDA Review No. MA89-118

This matter was tabled until March 22, 2006.

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11. **Request for Liquor License; McDonalds of Macomb;** Located on the southeast corner of 23 Mile Road and Card Road (except the immediate corner); McDonald's of Macomb, LLC. Permanent Parcel No. 08-23-100-029. (21940 23 Mile Road)

This matter was tabled until March 8, 2006.

FIRE DEPARTMENT:

12. Request to Purchase Window Blinds for Fire Stations 3 & 4

Supervisor BRENNAN reviewed this request for vertical blinds as presented by Captain David Myny.

MOTION by KOEHS seconded by MALBURG to approve the request and award the bid to Vertical Vic's for window blinds for Fire Stations 3 & 4 for the total cost of Two Thousand Eight Hundred Fifty Four dollars and 08/100 (\$2,854.08)

MOTION carried.

HUMAN RESOURCE DEPARTMENT:

13. Request to Contract EMPCO to Conduct Assessment Center

John D. Brogowicz, Human Resource Director, reviewed the request and informed the Board of the various details regarding this matter.

MOTION by KRZEMINSKI seconded by NEVERS to follow the Human Resource Director's recommendation to award the contract to EMPCO to conduct an assessment center in the recruitment of a Fire Chief for the Macomb Township Fire Department. The total cost of this assessment exercise is Six Thousand Eight Hundred dollars and 00/100 (\$6,800.00) plus incidental expenses (meals and mileage reimbursement) not to exceed Seven Thousand dollars and 00/100 (\$7,000.00).

MOTION carried.

14. Request to Hire a RMS Supervisor

John D. Brogowicz, Human Resource Director, reviewed the request and informed the Board of the various details regarding this matter.

MOTION by KRZEMINSKI seconded by NEVERS to follow the Human Resource Director's recommendation to extend an offer of employment to

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David Nowak for the Fire RMS Supervisor position for the Macomb Township Fire Department. Effective on or before March 1, 2006.

MOTION carried.

15. Request for a Family Medical Leave of Absence (FMLA)

John D. Brogowicz, Human Resource Director, reviewed the request and informed the Board of the various details regarding this matter.

MOTION by KOEHS seconded by DUNN to follow the Human Resource Director's recommendation and approve the Family Medical Leave of Absence request for Utility Worker Salvatore Maniaci.

MOTION carried.

16. Request to Return Early from a Personal Leave of Absence

John D. Brogowicz, Human Resource Director, reviewed the request and informed the Board of the various details regarding this matter.

MOTION by DUNN seconded by BUCCI to follow the Human Resource Director's recommendation and approve the personal leave of absence return request for Fire Fighter Davie Tietze to return to active duty February 9, 2006

MOTION carried.

17. Request for a Personal Leave of Absence

John D. Brogowicz, Human Resource Director, reviewed the request and informed the Board of the various details regarding this matter.

MOTION by DUNN seconded by MALBURG to follow the Human Resource Director's recommendation and approve the personal leave of absence request for Fire Fighter Wayne Dinsdale beginning January 24, 2006 and ending July 23, 2006 pursuant to the Collective Bargaining Agreement between the Township and the Macomb Township Fire Fighters Association.

MOTION carried.

BROADCAST MEDIA DEPARTMENT:

18. Review of Government Access Channel Policies and Procedures.

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James Gillis, Broadcast Media Director, reviewed the proposed policies and procedures. In section G(3) the phrase "the Township Supervisor" was removed.

MOTION by KOEHS seconded by DUNN to approve the proposed policies and procedures of the Government Access Channel as amended.

MOTION carried.

PARKS & RECREATION DEPARTMENT:

19. Request to Purchase Fertilizer Spreader for the Macomb Corners Park

Salvatore DiCaro, Parks & Recreation Director, explained the reasons for this request and that the Township could save between one and seven thousand dollars annually.

MOTION by DUNN seconded by MALBURG to approve the request to purchase fertilizer spreader for the Macomb Corners Park through Adams Fertilizer Equipment for the total cost Two Thousand Four Hundred Eighty Five dollars and 00/100 (\$2,485.00) which includes the fees involved with shipping and handling.

MOTION carried.

WATER & SEWER DEPARTMENT:

20. Annual DEQ Storm Water Discharge Permit

David Koss, Water & Sewer Department Superintendent, reviewed this request.

MOTION by KRZEMINSKI seconded by KOEHS to approve the payment of the Michigan Department of Environmental Quality annual permit fee for the total cost of Four Thousand dollars and 00/100 (\$4,000.00).

MOTION carried.

21. Clinton River Watershed Council, Storm Water Education Program

David Koss, Water & Sewer Department Superintendent, reviewed this request.

MOTION by BUCCI seconded by MALBURG to approve the payment for the Clinton River Watershed Council, Storm Water Education Program for the total cost of Two Thousand Six Hundred Forty Five dollars and 88/100 (\$2,645.88).

MOTION carried.

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22. Purchase Requisition Request
A. East Jordan Iron Works, Inc.
B. SLC Meter Service

David Koss, Water & Sewer Department Superintendent, reviewed this request.

MOTION by DUNN seconded by KRZEMINSKI to approve the purchase requisition request for a conversion kit through East Jordan Iron Works, Inc. for the total cost of One Thousand Two Hundred dollars and 00/100 (\$1,200.00).

MOTION carried.

MOTION by DUNN seconded by NEVERS to approve the purchase requisition request for repair clamps through SLC Meter Service, Inc. for the total cost of One Thousand Sixty Three dollars and 35/100 (\$1,063.35).

MOTION carried.

BOARD COMMENTS:

23. Supervisor Comments:

Supervisor Brennan explained in detail the situation regarding layoffs of personnel from the Township, and the positions that were affected.

24. Clerk Comments - None

25. Treasurer Comments - None

26. Trustees Comments - None

EXECUTIVE SESSION:

MOTION by BUCCI seconded by KRZEMINSKI to adjourn into executive session at 7:45 p.m.

MOTION carried. The members of the Board reconvened at 8:00 p.m.

27. Sorrentino Builders v Macomb Township

MOTION by KOEHS seconded by BUCCI not to appeal the decision of the Circuit Court in this matter.

MOTION carried.

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28. Easement Acquisitions

MOTION by KOEHS seconded by DUNN to acquire the easement for parcel number 08-017-300-003 for the amount of four thousand five hundred ninety dollars and no cents. (\$4,590.00)

MOTION carried.

MOTION by KOEHS seconded by DUNN to authorize the Attorney to participate in the negotiations on behalf of the Township for the acquisition of three additional easements.

MOTION carried.

29. 23 Mile Road Sanitary Sewer and Water Main

This item was removed and was not discussed.

ADJOURNMENT:

MOTION by NEVERS seconded by MALBURG to adjourn this meeting at 8:03 p.m. MOTION carried.

Respectfully submitted,

John D. Brennan, Supervisor

Michael D. Koehs, CMC
Macomb Township Clerk